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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/019,210  | 12/19/2001  | Martin Griesser      | AP9654              | 4021             |
| 10291   | 7590        | 12/30/2003           | EXAMINER            |                  |
| RADER, FISHMAN & GRAUER PLLC<br>39533 WOODWARD AVENUE<br>SUITE 140<br>BLOOMFIELD HILLS, MI 48304-0610 |             |                      | ELLINGTON, ALANDRA  |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2855                |                  |

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/019,210

Applicant(s)

GRIESSER ET AL.

Examiner

Alandra N Ellington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-46 is/are allowed.
- 6) ☒ Claim(s) 24-29, 32, 33, 35 and 38-41 is/are rejected.
- 7) ☒ Claim(s) 30, 31, 34, 36, 37 and 42 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 24-29,32,33,35 and 38-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Oshiro (5,900,543).

With respect to Claim 24, Oshiro discloses a method for creating a correction value table, for determining a test variable, and for identifying the pressure loss in a tire of a vehicle, wherein the test variable is a quotient of each two sums of two wheel radii or variables mirroring these wheel radii, comprising the steps of: determining a driving dynamics variable of the vehicle, and determining a correction value for the test variable and storing the said in dependence on the value of the driving dynamics variable which prevailed during the correction value determination (col. 6 lines 45-68 {Fig. 3}).

With respect to Claim 25, Oshiro discloses the method as claimed in claim 24, wherein the correction value determination takes place only when the vehicle dynamics with respect to their values satisfies defined conditions (col. 6 lines 48-65).

With respect to Claim 26, Oshiro discloses the method as claimed in claim 25, wherein the correction value determination or storage takes place only when the vehicle dynamics has remained within a defined value range for a defined period of time (col. 8 lines 1-36).

With respect to Claim 27, Oshiro discloses the method as claimed in claim 24, wherein the test variable is determined from the wheel radii or from variables mirroring these wheel radii of at least two wheels (col. 6 lines 13-29,45-62).

With respect to Claim 28, Oshiro discloses the method as claimed in claim 24, wherein the correction value determination takes place only when the vehicle dynamics with respect to their time variations satisfies defined conditions (col. 6 lines 38-67, col. 7 lines 1-36).

With respect to Claim 29, Oshiro discloses the method as claimed in claim 28, wherein one sum is produced with reference to variables on front wheels of the vehicle and the other sum is produced with reference to variables on rear wheels of the vehicle (S16, {Fig. 4}).

With respect to Claim 32, Oshiro discloses the method as claimed in claim 24, wherein the correction values are determined for several values of the driving dynamics variable, and correction values are extrapolated from the determined correction values for other values of the driving dynamics variable (col. 6 lines 38-67).

With respect to Claim 33, Oshiro discloses the method as claimed in claim 24, wherein the driving dynamics variable is a wheel torque which is determined from the engine torque and the gear ratio (col. 7 lines 49-62).

With respect to Claim 35, Oshiro discloses the method as claimed in claim 24, wherein the driving dynamics variable is a curve characteristic value acquired during cornering maneuvers ({Fig. 7}).

With respect to Claim 38, Oshiro discloses a method of determining a corrected test variable for identifying a pressure loss in the tires of a vehicle, comprising the steps of: determining a test variable from the wheel radii or from variables mirroring these wheel radii of at least two wheels, preparing a correction value table, determining a driving dynamics variable of the vehicle, reading a correction value from the table in accordance with the value of the driving dynamics variable, and correcting the test variable by means of the correction value (col. 6 lines 42-67).

With respect to Claim 39, Oshiro discloses a method of determining a corrected test variable for identifying a pressure loss in the tires of a vehicle, comprising the steps of: determining a test variable from the wheel radii or from variables mirroring these wheel radii of at least two wheels, preparing a correction value table, determining a driving dynamics variable of the vehicle, reading a correction value from the table in accordance with the value of the driving dynamics variable, and directly comparing the test variable with reference values which are determined in dependence on the driving dynamics variable and stored in the table (col. 6 lines 13-67 {Figs. 3 and 8}).

With respect to Claim 40, Oshiro discloses a method as claimed in claim 39, wherein the determination of test variables is a function of wheel radii or of variables mirroring the wheel radii of at least two wheels (col. 6 lines 13-38, col. 8 lines 1-63).

With respect to Claim 41, Oshiro discloses a method of identifying the pressure loss in a tire of a wheel, comprising the steps of: determining a test variable for identifying pressure loss in the tire of a vehicle, comparing the test variable with a

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threshold value, and identifying pressure loss when the test variable reaches or passes the threshold value (col. 7 lines 37-67).

***Allowable Subject Matter***

2. Claims 30, 31, 34, 36, 37 and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. Claims 43-46 are allowed.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takata (5,292,184) discloses a wheel speed correction device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alandra N Ellington whose telephone number is (703)305-4449. The examiner can normally be reached on Monday - Friday, 6:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (703)305-4816. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7382.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

Alandra Ellington  
Art Unit 2855



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